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Date: 2/7/02

By: *James L. Self*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Eddie Drake et al.

APPLICATION NO.: 09/945,350

FILED: August 31, 2001

FOR: REAL-TIME AUDIENCE  
MONITORING, CONTENT RATING,  
AND CONTENT ENHANCING

ART UNIT: 2611

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**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 CFR 1.97(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO/SB/08A (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ Copies of the following references can be found in parent application Ser. No.

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

- ☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references  
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3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment


No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665.

5. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,

Date: 2/7/02

  
James A. D. White  
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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

FEB 21 2002

## **COMPLETE IF KNOWN**

Application Number	09/945,350
Confirmation Number	1476
Filing Date	August 31, 2001
First Named Inventor	Eddie Drake
Group Art Unit	2611
Examiner Name	
Attorney Docket No.	338528007US1

Sheet

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of

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## **U.S. PATENT DOCUMENTS**

*EXAMINER INITIALS	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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## **FOREIGN PATENT DOCUMENTS**

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## **OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

*EXAMINER INITIALS	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published.	T
	AI	TiVo, Inc., White Paper Submitted to the Federal Trade Commission, May 3, 2001	
	AJ	"TV That Watches You: The Prying Eyes of Interactive Television," A Report by the Center for Digital Democracy, June 2001 (pages 1-30).	
	AK	Kary, Tiffany, "Interactive TV Tunes into Privacy Concerns," CNET News.com, August 1, 2001 <a href="http://news.cnet.com/news/0-1005-200-6732232.html?tag=mn_hd">http://news.cnet.com/news/0-1005-200-6732232.html?tag=mn_hd</a> [Accessed December 17, 2001]	
	AL	Nielsen Media Research, Who We Are and What We Do <a href="http://www.nielsenmedia.com/top_frame.html">http://www.nielsenmedia.com/top_frame.html</a> [Accessed January 7, 2002]	
	AM	Nielsen Media Research, "Customer Critical Reporting and Data Warehousing Functions Based on Sun™ Server and Storage Technology" <a href="http://www.sun.com/storage/success-stories/nielsen.html">http://www.sun.com/storage/success-stories/nielsen.html</a> [Accessed December 17, 2001]	
	AN		

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).